

House File 472 - Introduced

HOUSE FILE 472

BY COHOON

A BILL FOR

1 An Act relating to open enrollment by providing for the
2 retention of state funding by the sending district.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256F.4, subsection 4, Code 2011, is
2 amended to read as follows:

3 4. A charter school or innovation zone school shall
4 enroll an eligible resident student who submits a timely
5 application unless the number of applications exceeds the
6 capacity of a program, class, grade level, or building. In
7 this case, students must be accepted by lot. A charter school
8 or innovation zone school may enroll an eligible nonresident
9 student who submits a timely application in accordance with
10 the student admission policy established pursuant to section
11 256F.5, subsection 1. If the charter school or innovation zone
12 school enrolls an eligible nonresident student, the charter
13 school or innovation zone school shall notify the school
14 district of residence and the sending district not later than
15 March 1 of the preceding school year. Transportation for the
16 student shall be in accordance with section 282.18, subsection
17 10. ~~The sending district shall make payments to the charter~~
18 ~~school or innovation zone consortium in the manner required~~
19 ~~under section 282.18, subsection 7. If the nonresident pupil~~
20 ~~is also an eligible pupil under section 261E.6, the innovation~~
21 ~~zone consortium shall pay the tuition reimbursement amount to~~
22 ~~an eligible postsecondary institution as provided in section~~
23 ~~261E.7.~~

24 Sec. 2. Section 261E.7, subsection 1, unnumbered paragraph
25 1, Code 2011, is amended to read as follows:

26 Not later than June 30 of each year, a school district
27 shall pay a tuition reimbursement amount to a postsecondary
28 institution that has enrolled its resident eligible
29 students under this chapter, ~~unless the eligible student is~~
30 ~~participating in open enrollment under section 282.18, in which~~
31 ~~case, the tuition reimbursement amount shall be paid by the~~
32 ~~receiving district. However, if a child's residency changes~~
33 ~~during a school year, the tuition shall be paid by the district~~
34 ~~in which the child was enrolled as of the date specified in~~
35 ~~section 257.6, subsection 1, or the district in which the child~~

1 ~~was counted under section 257.6, subsection 1, paragraph "a",~~
 2 ~~subparagraph (6).~~ For students enrolled at the Iowa school
 3 for the deaf and the Iowa braille and sight saving school, the
 4 state board of regents shall pay a tuition reimbursement amount
 5 by June 30 of each year. The amount of tuition reimbursement
 6 for each separate course shall equal the lesser of:

7 Sec. 3. Section 282.18, subsections 7, 8, and 9, Code 2011,
 8 are amended to read as follows:

9 7. A pupil participating in open enrollment shall be
 10 counted, for state school foundation aid purposes, in the
 11 pupil's district of residence. A pupil's residence, for
 12 purposes of this section, means a residence under section
 13 282.1. ~~The board of directors of the district of residence~~
 14 ~~shall pay to the receiving district the state cost per pupil~~
 15 ~~for the previous school year, plus any moneys received for~~
 16 ~~the pupil as a result of the non-English speaking weighting~~
 17 ~~under section 280.4, subsection 3, for the previous school~~
 18 ~~year multiplied by the state cost per pupil for the previous~~
 19 ~~year. If the pupil participating in open enrollment is also~~
 20 ~~an eligible pupil under section 261E.6, the receiving district~~
 21 ~~shall pay the tuition reimbursement amount to an eligible~~
 22 ~~postsecondary institution as provided in section 261E.7.~~

23 8. If a request filed under this section is for a child
 24 requiring special education under chapter 256B, the request to
 25 transfer to the other district shall only be granted if the
 26 receiving district maintains a special education instructional
 27 program which is appropriate to meet the child's educational
 28 needs and the enrollment of the child in the receiving
 29 district's program would not cause the size of the class in
 30 that special education instructional program in the receiving
 31 district to exceed the maximum class size in rules adopted by
 32 the state board of education for that program. ~~For children~~
 33 ~~requiring special education, the board of directors of the~~
 34 ~~district of residence shall pay to the receiving district the~~
 35 ~~actual costs incurred in providing the appropriate special~~

1 education.

2 9. a. ~~If a parent or guardian of a child, who is~~
3 ~~participating in open enrollment under this section, moves~~
4 ~~to a different school district during the course of either~~
5 ~~district's academic year, the child's first district of~~
6 ~~residence shall be responsible for payment of the cost per~~
7 ~~pupil plus weightings or special education costs to the~~
8 ~~receiving school district for the balance of the school year in~~
9 ~~which the move took place. The new district of residence shall~~
10 ~~be responsible for the payments during succeeding years.~~

11 b. ~~If a request to transfer is due to a change in family~~
12 ~~residence, change in the state in which the family residence~~
13 ~~is located, a change in a child's parents' marital status, a~~
14 ~~guardianship proceeding, placement in foster care, adoption,~~
15 ~~participation in a foreign exchange program, or participation~~
16 ~~in a substance abuse or mental health treatment program, and~~
17 ~~the child who is the subject of the request is enrolled in~~
18 ~~any grade from kindergarten through grade twelve at the time~~
19 ~~of the request and is not currently using any provision of~~
20 ~~open enrollment, the parent or guardian of the child shall~~
21 ~~have the option to have the child remain in the child's~~
22 ~~original district of residence under open enrollment with no~~
23 ~~interruption in the child's kindergarten through grade twelve~~
24 ~~educational program. If a parent or guardian exercises this~~
25 ~~option, the child's new district of residence is not required~~
26 ~~to pay the amount calculated in subsection 7 until the start of~~
27 ~~the first full year of enrollment of the child.~~

28 c. ~~Quarterly payments shall be made to the receiving~~
29 ~~district.~~

30 d. ~~If the transfer of a pupil from one district to another~~
31 ~~results in a transfer from one area education agency to~~
32 ~~another, the sending district shall forward a copy of the~~
33 ~~request to the sending district's area education agency. The~~
34 ~~receiving district shall forward a copy of the request to~~
35 ~~the receiving district's area education agency. Any moneys~~

1 ~~received by the area education agency of the sending district~~
2 ~~for the pupil who is the subject of the request shall be~~
3 ~~forwarded to the receiving district's area education agency.~~

4 ~~e.~~ b. A district of residence may apply to the school
5 budget review committee if a student was not included in the
6 resident district's enrollment count during the fall of the
7 year preceding the student's transfer under open enrollment.

8 Sec. 4. Section 282.18, subsection 10, paragraph c, Code
9 2011, is amended to read as follows:

10 c. If the pupil meets the economic eligibility requirements
11 established by the department and state board of education, the
12 sending district is responsible for providing transportation
13 or paying the pro rata cost of the transportation to a parent
14 or guardian for transporting the pupil to and from a point
15 on a regular school bus route of a contiguous receiving
16 district unless the cost of providing transportation or the
17 pro rata cost of the transportation to a parent or guardian
18 exceeds the average transportation cost per pupil transported
19 for the previous school year in the district. If the cost
20 exceeds the average transportation cost per pupil transported
21 for the previous school year, the sending district shall
22 only be responsible for that average per pupil amount. A
23 ~~sending district which provides transportation for a pupil~~
24 ~~to a contiguous receiving district under this subsection may~~
25 ~~withhold, from the district cost per pupil amount that is to~~
26 ~~be paid to the receiving district, an amount which represents~~
27 ~~the average or pro rata cost per pupil for transportation,~~
28 ~~whichever is less.~~

29 Sec. 5. Section 282.18, subsection 15, Code 2011, is amended
30 to read as follows:

31 15. ~~a.~~ If a request under this section is for transfer to
32 a laboratory school, as described in chapter 256G, the student
33 who is the subject of the request shall be included in the
34 basic enrollment of the student's district of residence ~~and the~~
35 ~~board of directors of the district of residence shall pay to~~

1 ~~a laboratory school the state cost per pupil for the previous~~
 2 ~~school year, plus any moneys received for the pupil as a result~~
 3 ~~of the non-English speaking weighting under section 280.4,~~
 4 ~~subsection 3, for the previous school year multiplied by the~~
 5 ~~state cost per pupil for the previous year.~~

6 ~~b. Notwithstanding subsection 7, a district of residence~~
 7 ~~shall not be required to pay the state cost per pupil for a~~
 8 ~~student attending a laboratory school during the school year~~
 9 ~~beginning July 1, 2010, if the student was not included in the~~
 10 ~~district of residence's enrollment count for funding purposes~~
 11 ~~in the school year beginning July 1, 2009.~~

12 EXPLANATION

13 This bill amends requirements relating to the payment of
 14 certain funds between school districts for open-enrolling
 15 pupils pursuant to Code section 282.18. Currently, the board
 16 of directors of the pupil's district of residence (sending
 17 district) is required to pay to the district to which the
 18 student is open enrolling (receiving district) the state
 19 cost per pupil for the previous school year, plus any moneys
 20 received for the pupil as a result of the non-English speaking
 21 weighting under Code section 280.4, subsection 3, for the
 22 previous school year multiplied by the state cost per pupil for
 23 the previous year. The bill deletes this provision and makes
 24 several additional conforming deletions relating to the payment
 25 of certain funding for open enrolling pupils. Under the bill,
 26 the sending district is not required to pay to the receiving
 27 district such amounts and would retain the state cost per pupil
 28 amount.